

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GERALD ROLAND,

Plaintiff,

-against-

CITY OF NEW YORK, et al.,

Defendants.
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USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>12/3/2020</u>
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20-CV-5392 (VSB)

ORDER

VERNON S. BRODERICK, United States District Judge:

I am in receipt of Defendants City of New York, Raphael Mero, and UC 322's letter dated December 2, 2020, (Doc. 18), requesting that I rescind my December 1, 2020 order directing Plaintiff to move for a default judgment on the grounds that Defendant Mohammed Rios and Defendant Mero have not timely answered the complaint, (*see* Doc. 17). Defendants assert that because this case was designated to participate in the Southern District of New York's Local Civil Rule § 83.10, (*see* Doc. 7), and Plaintiff simultaneously served the City with the complaint and § 160.50 Release before serving the remaining Defendants, Defendant Rios and Defendant Mero have sixty (60) days to respond to the complaint, (*see* Local Civil Rule § 83.10 ¶ 3) (stating that "[a]ny subsequently-served defendant will have the greater of (i) 60 days or (ii) the date by which the first-served defendant must answer, to answer the complaint."). Defendant Rios and Defendant Mero were served on November 2, 2020 and November 5, 2020, (*see* Docs. 15, 16), and the City's deadline to answer was October 26, 2020 (*see* Doc. 9). Therefore, Defendants Rios and Mero should have sixty (60) days from the date of service to answer the complaint.

Accordingly, it is hereby:

ORDERED that, by January 1, 2021, Defendant Rios shall answer the complaint.

ORDERED that, by January 4, 2021, Defendants Mero shall answer the complaint.

The Clerk of Court is respectfully directed to terminate my December 1, 2020 order, (Doc. 17).

SO ORDERED.

Dated: December 3, 2020
New York, New York


Vernon S. Broderick
United States District Judge